



*State of New Jersey*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Site Remediation and Waste Management Program  
Mail Code 401-06A  
P.O. Box 420  
Trenton, New Jersey 08625-0420  
Telephone: (609) 292-1250

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

BOB MARTIN  
*Commissioner*

September 13, 2016

Mr. Walter Mugdan, Director  
Emergency and Remedial Response Division  
U.S. Environmental Protection Agency Region II  
290 Broadway  
New York, NY 10007-1866

RE: Standard Chlorine Chemical Company Site  
1015 to 1035 Belleville Turnpike  
Town of Kearny, Hudson County  
SRP PI# G000001583  
Activity Number Reference: RPC000001

Dear Mr. Mugdan:

The New Jersey Department of Environmental Protection (Department) has completed its review of the Final Proposed Plan dated July 2016 for the Standard Chlorine Chemical Company Inc. Superfund (SCCC) Site. The Proposed Plan was prepared by the United States Environmental Protection Agency (USEPA). The SCCC Site is being addressed as a single operable unit and does not include SCCC impacts to the Hackensack River. This Proposed Plan describes the remedial alternatives considered for the SCCC Site and identifies the preferred remedial alternative along with the rationale for the preference.

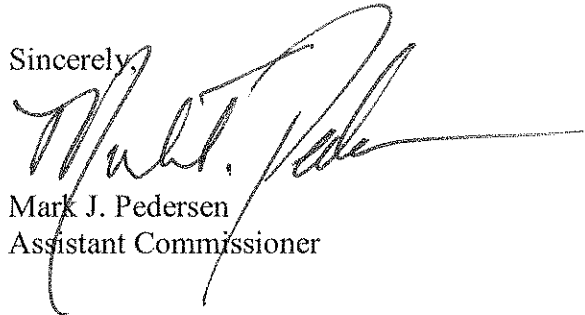
The USEPA has selected Alternative III as the preferred remedy consisting of the following: targeted cap/cover; continued dense non-aqueous phase liquid (DNAPL) recovery in Area I; barrier wall system; DNAPL recovery in Area 2; Institutional Controls; building demolition of the Edison Buildings; operation, monitoring and maintenance (OMM); and Five-year reviews.

The Department concurs with the upland remediation of the SCCC Site as provided in Alternative III. However, the Department cannot fully concur with the USEPA's Proposed Plan because the current property owners have not agreed to the required Institutional Controls on the subject properties. The City of Kearny is the current owner of the 25-acre SCCC property and the Hudson County Improvement Authority is the current owner of the 13 acres of the SCCC Site that extends onto the Koppers - Seaboard property.

The Department continues to object to the USEPA's exclusion of the Hackensack River as an operable unit of the SCCC Site. This is contrary to the original concurrence letter dated April 10, 2003 in which then-Governor McGreevey specifically identified impacts to the Hackensack River as the impetus for supporting the inclusion of the SCCC Site on the National Priorities List (NPL). In addition, the Hazard Ranking System score, which serves as the mechanism for evaluating sites for the NPL, identified the Surface Water Pathway as the only pathway of concern for the SCCC Site. A failure to fully address the SCCC Site's impacts to the Hackensack River in this Proposed Plan is inconsistent with the Department's expectations at the time the SCCC Site was nominated, and excluding the only receptor and the basis by which the site qualified for the NPL from the remedial action is inappropriate.

Should you wish to discuss this matter further, please feel free to contact me at (609) 292-1250.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark J. Pedersen", with a long horizontal line extending to the right.

Mark J. Pedersen  
Assistant Commissioner

CC: Steve Maybury, BCM, NJDEP  
Jay Nickerson, BCM, NJDEP  
Steve Byrnes, BEERA, NJDEP  
David VanEck, BGWPA, NJDEP  
Alison Hess, USEPA Region II